

PTO/SB/21 (02-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/798,217	
	Filing Date	03/09/2004	
	First Named Inventor	Roy C. Wiley	
	Art Unit	3763	
	Examiner Name		
Total Number of Pages in This Submission	14	Attorney Docket Number	4001-0024 (ZM0626)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Please see the Remarks section.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	Please charge any fee(s) that is(are) due, and charge any shortages in fees or credit any over payments throughout the pendency of this application to deposit account No. 50-2779 (Zimmer Technology, Inc.).
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Herewith please find the following: 1. This Transmittal Form including a deposit account authorization (in duplicate); 2. An Information Disclosure Statement including a deposit account authorization (2 pages); 3. One(1) Form PTO/SB/08A listing one(1) U.S. patent document; 4. One(1) Form PTO/SB/08B listing three(3) non-patent documents; 5. A copy of each of the three(3) non-patent documents (8 pages total); and 6. A self-addressed, stamped return postcard listing items 1-5.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gerald W. Roberts Registration No. 45,046 Indiano Vaughan Roberts & Filomena, LLP, One N. Pennsylvania St., Suite 850, Indianapolis, IN 46204 (317)822-0033
Signature	
Date	November 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Gerald W. Roberts, Registration No. 45,046		
Signature		Date	November 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOTE: This Transmittal Form includes a deposit account authorization. Please see the Remarks section.



**INDIANO VAUGHAN & ROBERTS, LLP**

**Gerald W. Roberts**  
One North Pennsylvania Street, Suite 850  
Indianapolis, Indiana 46204  
(317) 822-0033

**PATENT APPLICATION**

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

Group: 3763 }  
} }  
Atty. Docket: 4001-0024 (ZM0626) }  
} }  
Applicant(s): Wiley et al. }  
} }  
Invention: ORTHOPAEDIC INJECTION }  
RESTRICTOR APPARATUS }  
AND METHOD } }  
Application Serial No.: 10/798,217 }  
} }  
Application Filed: March 9, 2004 }  
} }  
Examiner: Unknown }

Certificate Under 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the **Commissioner for Patents**, P.O. Box 1450, Alexandria, VA 22313-1450

on November 22, 2004



Gerald W. Roberts, Reg. No. 45,046

Dated: 11/22/2004

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

This Information Disclosure Statement ("IDS") is filed in the above-identified application pursuant to 37 CFR 1.56, 1.97 and 1.98. Applicant(s) call attention to the art reference(s) within the knowledge of Applicant(s) and Applicant's(Applicants') attorney which is(are) listed on the accompanying form(s) submitted herewith (namely, **one (1) Form PTO/SB/08A listing one(1) U.S. patent document(s) and one(1) Form PTO/SB/08B listing three(3) non-patent documents**).

A copy of each of the three (3) non-patent documents is submitted herewith.

No representation is intended that a complete search has been made of the prior art or that no better art references than those listed are available. The filing of this IDS is not an

admission that the information cited is, or is considered to be, material to the patentability as defined in 37 CFR 1.56(b).

None of the art cited is believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over the cited references.

Applicant(s) respectfully request that, if necessary to effect a timely response, this paper also be considered to be a Petition for an Extension of Time sufficient to effect a timely response, and any shortages in fees be charged, or any over payments in fees be credited to the deposit account of Zimmer Technology, Inc., **deposit account No. 50-2779**.

**A Transmittal Form including a deposit account authorization (in duplicate) and a self-addressed, stamped return postcard** are also submitted herewith. Please acknowledge receipt of this IDS (and the accompanying submission(s)) by marking and mailing the postcard.

Respectfully submitted,



---

Gerald W. Roberts  
Reg. No. 45,046

November 22, 2004

One North Pennsylvania Street, Suite 850  
Indianapolis, Indiana 46204  
Phone: (317) 822-0033

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/798,217
Filing Date	03/09/2004
First Named Inventor	Roy C. Wiley
Art Unit	3763
Examiner Name	
Attorney Docket Number	4001-0024 (ZM0626)

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

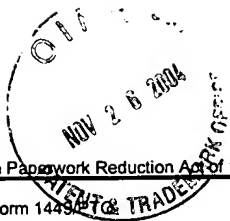
[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (08-03)

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Substitute for form 1449, PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/798,217
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First Named Inventor	Roy C. Wiley
Art Unit	3763
Examiner Name	
Attorney Docket Number	4001-0024 (ZM0626)

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ZIMMER, "Allen Medullary Bone Plugs" Hips > Bone Cement + Accessories > Bone Cement + Accessories > Bone . . . Catalog listing, Internet, 1 page	
		ZIMMER, "Allen Medullary Bone Plug Kit" Features of the Allen Medullary Bone Plug Kit and Ordering Information. No. 97-8011-05 Rev 1 5MZ Printed in U.S.A. 1999, 2000 Zimmer, Inc., 1 page	
		ZIMMER, "The Zimmer Complete Bone Cement System" brochure, 6 pages	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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